

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No. 15-CR-4268

DeLeon, et al

EUGENE MARTINEZ

Defendant.

UNOPPOSED
MOTION FOR EXTENSION OF TIME TO FILE MOTIONS

Douglas E. Couleur, counsel for Eugene Martinez, respectfully requests that Eugene Martinez' deadline to file Fed. R. Crim. P. 16 & 7(f) motions currently set for April 5, 2017, be extended through April 17, 2017, and as grounds states:

1. Mr. Martinez is charged with one count of violent crimes in aid of racketeering (murder). Mr. Martinez' case has been stayed pending a determination of competency. On March 21, 2017, after hearing evidence and arguments of counsel, the Court orally ruled that the Court was inclined to find that the Defendant had not met his burden of establishing incompetency and further indicated that written findings would be forthcoming. The Defendant is currently awaiting arraignment on the charges pending a final order on competency.

2. The Third Scheduling Order (Doc. 790) sets April 5, 2017, as a deadline for discovery motions and motion for Bill of Particulars. Fed. R. Crim. P. 12 motions are due May 9, 2017, and this motion is not asking for an extension of that deadline (some Rule 12 motions have already been filed by codefendants). The pending competency has limited to some extent counsel's ability to prepare or confer with other counsel on discovery and other issues. Counsel is requesting 12 additional days to consider joining and/or supplementing other discovery motions and or filing his own such motions on behalf of Eugene Martinez.

3. When counsel orally raised this issue at the close of the competency hearing, the Government indicated it had no objection to the requested extension of time. Counsel has asked

all counsel for codefendants if there was any objection to this extension, and there were no objections.

Therefore, Eugene Martinez is requesting an additional 12 days, up to and including April 17, 2017, to join and/or supplement, or filed his own Rule 16 or Rule 7(f) motions.

Respectfully submitted,

/s/ Douglas E. Couleur

Douglas E. Couleur
1640 Old Pecos Trail, Suite A
Santa Fe, NM 87505
(505) 984-1962
(505) 819-0522 (fax)
doug@couleurlaw.com

I certify that on March 30, 2017, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record for the United States and co-defendants to be served with a copy of this pleading by electronic means.

Electronically filed /s/ Douglas E. Couleur